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MTSU Teacher To Seek CIA Search Fee Waiver

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MURFREESBORO — A Middle Tennessee State University instructor will ask a federal judge tomorrow to waive a \$400 fee the CIA is requiring him to pay for an information search.

Larry Burriss, a mass communications instructor, is writing a doctoral thesis about government policy toward media that publish classified material.

HE ASKED the CIA in February for information regarding coverage in four newspapers of the training of Tibetans in Colorado between 1958 and 1961 after statements in two books led him to believe the CIA kept *The New York Times* from publishing that information.

"I was told it would cost \$400, \$100 per newspaper, to conduct a search for the material and that there was no guarantee I could get any information," Burriss said. "They may very well have the information and not care to release it."

Burriss appealed to CIA Director William Casey to have the fees waived, but his efforts were to no avail.

CONSEQUENTLY, Burriss filed a complaint July 14 for injunctive relief, asking the federal court to order the fees be waived.

But U.S. attorneys representing the CIA filed a motion to have Burriss' case dismissed, partly on grounds that:

- There is already information of the subject in the public domain.

- This is not a public interest item.

- The initial suit named Casey and the CIA director is not the proper person to bring the injunction against.

Burriss, firing his opinions back in a written answer to the dismissal motion, disagreed with each of the grounds for disposing of his suit.

Burriss is also asking that the CIA provide him with an index of the material he has requested, to find out what type of information is available.

THE CIA HAS responded that it is inappropriate to use indexing requirements to waive fees, Burriss said.

The hearing, to be conducted by U.S. District Judge L. Clure Morton, is scheduled for 9 a.m. in Nashville.

If Burriss's suit is dismissed, he may appeal to the 6th U.S. District Court of Appeals in Cincinnati. If Burriss wins, the CIA can also appeal to that court.